

# C A M P A I G N F O R ACCOUNTABILITY

April 25, 2018

Mary Elizabeth M. Robertson  
Public Records Custodian  
Human Services Department  
P.O. Box 2348  
Santa Fe, NM 87504

**By Email:** [Mary.Robertson@state.nm.us](mailto:Mary.Robertson@state.nm.us)

**Re: Inspection of Public Records Act Request**

Dear Ms. Robertson:

Campaign for Accountability (“CfA”) makes this request for records, regardless of format, medium, or physical characteristics, and including electronic records and information, audiotapes, videotapes and photographs, format, medium or physical characteristics, pursuant to the New Mexico Inspection of Public Records Act. NMSA §§ 14-2-1 *et seq.*

Specifically, CfA requests from the Human Services Department (the “Department”) all communications, meeting notices, meeting agendas, informational materials, talking points, or other materials received by the Department from, sent by the Department to, exchanged between the Department and representatives of CareNet Pregnancy Center of Albuquerque (“CareNet”), as well as communications between or among members of the Department regarding CareNet and its associated relationship with the Department. This request is for records from January 1, 2011 to the present.

By way of background, the Department distributes federal Department of Health and Human Services block grant Temporary Assistance for Needy Family (“TANF”) funds through the New Mexico Works (“NMW”) program.<sup>1</sup> The Department uses some of the TANF funds to support needy families in New Mexico with direct cash payments (subject to eligibility requirements), while allocating other TANF funds to organizations within the state that support the stated goals of the TANF program.<sup>2</sup> Among other programs to receive TANF money, fact sheets regarding TANF/NMW program spending available on the Department’s website include a line item for a \$282,224 payment made to a “CareNet Pregnancy” during fiscal year 2016,<sup>3</sup> as well as a line item for a \$505,652 payment made to “CareNet Pregnancy of Albuquerque” during fiscal year 2013.<sup>4</sup>

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<sup>1</sup> NMSA § 27-2B-2.

<sup>2</sup>

[http://www.hsd.state.nm.us/uploads/FileLinks/f13cd6ab72d244089c5bf80111f07524/Temporary\\_Assistance\\_to\\_Needy\\_Families\\_TANF\\_Fact\\_Sheet\\_2017.pdf](http://www.hsd.state.nm.us/uploads/FileLinks/f13cd6ab72d244089c5bf80111f07524/Temporary_Assistance_to_Needy_Families_TANF_Fact_Sheet_2017.pdf).

<sup>3</sup> *Id.*

<sup>4</sup> [http://www.hsd.state.nm.us/uploads/FileLinks/f13cd6ab72d244089c5bf80111f07524/TANF\\_Fact\\_Sheet\\_2015.pdf](http://www.hsd.state.nm.us/uploads/FileLinks/f13cd6ab72d244089c5bf80111f07524/TANF_Fact_Sheet_2015.pdf).

Where possible, please produce records electronically or on a USB drive. CfA seeks records of any kind, including electronic records, audiotapes, videotapes, and photographs. This request includes any letters, emails, facsimiles, telephone messages, voice mail messages, and transcripts, notes, or minutes of any meetings, telephone conversations, or discussions. This request also includes any attachments to these records.

If it is your position that any portion of the requested records is exempt from disclosure, please state the basis of the exemption. NMSA § 14-2-11. Please explain in writing and with particularity the reasons for any determination that a record is exempt from disclosure. Please also provide the name and title or position of each person responsible for the denial. NMSA § 14-2-11(B). In the event a portion of a requested record is properly exempt from disclosure, please redact that portion and produce the remainder of the requested record. If you deny this request in whole or in part, please specify each exemption on which you are relying to withhold information.

CfA is a non-profit organization and seeks the requested information to inform and educate the public about the propriety of the Department's usage and distribution of TANF block grants. Accordingly, because CfA seeks the information to benefit the general public, we request that the information be provided without charge. NMSA § 14-2-9(§C). If a fee waiver is not available, please inform me if the cost will exceed \$200.

Please produce the requested information as soon as is practicable, but not later than fifteen days after receiving this request. NMSA § 14-2-8(D). If the records will not be made available within three days, please explain in writing when they will be made available. *Id.* If you determine that a request is excessively burdensome or broad and additional time is necessary to comply with this request, please notify me within fifteen days. NMSA § 14-2-10.

If possible, please email the records to me at [dstevens@campaignforaccountability.org](mailto:dstevens@campaignforaccountability.org). If the records are mailed, please send them to: Campaign for Accountability, 611 Pennsylvania Avenue SE, #337, Washington, DC 20003. If you are unable to meet this statutory mandate, foresee any problems in releasing the requested records in whole or in part, or have any questions about this request, please contact me. I welcome any discussion related to how the scope of this request could be modified to help the Department more efficiently fulfill it. Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Dan E. Stevens", with a long horizontal flourish extending to the right.

Daniel E. Stevens  
Executive Director